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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/650,413	08/28/2003	Takehiro Onomatsu	04536.022001	6565

22511 7590 05/17/2007
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EXAMINER

MONTOYA, OSCHTA I

ART UNIT	PAPER NUMBER
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2623

MAIL DATE	DELIVERY MODE
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05/17/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/650,413	ONOMATSU, TAKEHIRO	
	Examiner	Art Unit	
	Oschta Montoya	2623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 January 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>8/11/2006</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 1-15 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-3 and 14-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Landis et al., 5,561,461 in view of Piotrowski, US 20030237100.

Regarding claim 1, Landis teaches a broadcast reception device comprising:

reception means (102-figure 1) for receiving a broadcast signal (Col. 3, lines 19-21); and

time information acquisition means (145) for performing an operation searching for and acquiring time information for counting (118) a current time (Col. 4, lines 35-40, lines 55-57), said time information acquisition means including:

signal extraction means for extracting from the broadcast signal a designated broadcast signal corresponding to a designated channel (Col. 3, lines 61-63); and

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search means for searching for said time information from the designated broadcast signal extracted by said signal extraction means (Col. 4, lines 40-50).

Landis fails to teach wherein when a desired channel is newly selected, said time information acquisition means cancels the acquisition operation currently performed and performs a new acquisition operation with respect to said desired channel that is newly selected.

In an analogous art, Piotrowski teaches that time information is updated every time the user changes channels (Para. 48)

Therefore, it would have been obvious to one of ordinary skill in the art to modify Landis' reception device to include updating the time information every time the user changes channels, as taught by Piotrowski. The motivation would have been to have an updated time every time the user uses the television.

Claim 15 is rejected on the same grounds as claim 1.

Regarding claim 2, Landis and Piotrowski teach the broadcast reception device of claim 1. Landis further teaches processing means for designating a channel unsearched by said search means for said time information and causing said time information acquisition means to perform the acquisition operation, wherein said processing means is started when a decision to acquire time information is not indicated with respect to a search performed on said desired channel by said search for said time information (automatic tuning, Col. 10, lines 10-29).

Claim 14 is rejected on the same grounds as claim 2.

Regarding claim 3, Landis and Piotrowski teach the broadcast reception device of claim 1. Piotrowski further teaches comprising channel designation means for designating said desired channel via an external operation (Para. 28).

Regarding claim 16, Landis and Piotrowski teach the broadcast reception device of claim 1. Landis further teaches wherein the broadcast signal comprises one of a group consisting of extended data services information and Rating Region Table information (Col. 4, lines 47-49).

Regarding claim 17, Landis and Piotrowski teach the broadcast reception device of claim 1. Landis further teaches comprising a channel table, wherein the channel table comprises: first data indicating a channel number corresponding to the broadcast signal; second data indicating whether the channel number has been registered with a channel map; and a data flag indicating a status of the time information of the broadcast signal (channel list with information on the channels that have time information after registration or scanning of channels is done, Col. 5, lines 43-65).

4. Claim 4-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Landis et al., 5,561,461 in view of Piotrowski, US 20030237100 and further in view of Lawler, 5,907,323.

Regarding claim 4, Landis and Piotrowski teach the broadcast reception device of claim 3.

Landis and Piotrowski fail to teach wherein said channel designation means includes means for selecting and designating said desired channel from a channel group allowing a corresponding broadcast signal to be received by said reception means.

In an analogous art, Lawler teaches selecting and designating a channel from a group allowing a corresponding broadcast signal to be received (Col. 5, lines 12-14, figs. 3A and 3B).

Therefore, it would have been obvious to one of ordinary skill in the art to modify Landis and Piotrowski's reception device to include the selection of a channel from a group, as taught by Lawler. The motivation would have been to give the user an easy way of selecting channels.

Regarding claim 5, Landis, Piotrowski and Lawler teach the broadcast reception device of claim 4. Landis further teaches processing means for designating a channel unsearched by said search means for said time information and causing said time information acquisition means to perform the acquisition operation, wherein said

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processing means is started when a decision to acquire time information is not indicated with respect to a search performed on said desired channel by said search means for said time information (automatic tuning, Col. 10, lines 10-29).

Claims 7, 9, 11, and 13 are rejected on the same grounds as claim 5.

Regarding claim 6, Landis, Piotrowski and Lawler teach the broadcast reception device of claim 4. Lawler further teaches wherein said channel designation means further includes channel list display means displaying said channel group in a list (col. 5, lines 17-23, figs. 3A and 3B).

Regarding claim 8, Landis and Piotrowski teach the broadcast reception device of claim 3. Lawler further teaches wherein said channel designation means includes means for selecting and designating said desired channel from a channel group with a corresponding broadcast signal transmitted thereon (col. 5, lines 12-14, figs. 3A and 3B).

Regarding claim 10, Landis, Piotrowski and Lawler teach the broadcast reception device of claim 8. Lawler further teaches wherein said channel designation means further includes channel list display means displaying said channel group in a list (col. 5, lines 17-23, figs. 3A and 3B).

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Regarding claim 12, Landis and Piotrowski teach the broadcast reception device of claim 3. Lawler further teaches wherein said channel designation means includes means for directly designating said desired channel (col. 4, lines 54-58).

Conclusion

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Contact

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Oschta Montoya whose telephone number is (571) 270-

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1192. The examiner can normally be reached on Monday/Friday 7:30 to 5:00 off every other Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher Grant can be reached on (571) 272-7294. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

OM



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